UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO

VERDESSA M. BUCHANON, : CASE NO. 1:06-CV-3030

Plaintiff,

: OPINION & ORDER

vs. : [Resolving Doc. Nos. <u>1</u>, <u>19</u>]

COMMISSIONER OF SOCIAL SECURITY,

:

Defendant.

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

With this suit, Plaintiff Verdessa M. Buchanon ("Buchanon") challenges the final decision of the Commissioner of Social Security, Michael J. Astrue ("Commissioner"), denying the Plaintiff's claim for Social Security Disability and Supplemental Security Income benefits. [Doc. 1.] On January 12, 2007, the case was referred to Magistrate Judge George J. Limbert for a Report and Recommendation. [Doc. 8.] Both parties subsequently submitted briefs on the merits. [Docs. 17, 18.]

On January 16, 2008, Magistrate Judge Limbert issued a Report and Recommendation that the Court dismiss the Plaintiff's claims and affirm the Administrative Law Judge's decision that Plaintiff Buchanon is no longer disabled or entitled to Supplemental Security Income benefits. [Doc. 19.] The Plaintiff has not objected to the Magistrate's report.

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of the Report to which an objection has been made. *See* 28 U.S.C. § 636(b)(1).

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Gwin, J.

Any objections must be filed with the Clerk of Court within ten days of the report's issuance. <u>Id.</u>

Parties waive their right to appeal the Recommendation if they fail to object within the time

allowed. See, e.g., Thomas v. Arn, 474 U.S. 140 (1985); United States v. Walters, 638 F.2d 947

(6th Cir. 1981).

Absent objection, a district court may adopt the Magistrate's Report without review.

<u>Thomas</u>, 474 U.S. at 149. Moreover, having conducted its own review of the parties' briefs in the

case, this Court agrees with the conclusions of Magistrate Judge Limbert and adopts the Report and

Recommendation as its own. Accordingly, the Court incorporates the Magistrate Judge's findings

of fact and conclusions of law fully herein by reference and dismisses the Plaintiff's claims. [Doc.

<u>19</u>.]

For the reasons discussed above, the Court **ADOPTS** the Report and Recommendation of

the Magistrate Judge and **DISMISSES** the Plaintiff's claims.

IT IS SO ORDERED.

Dated: March 5, 2008

James S. Gwin

JAMES S. GWIN

UNITED STATES DISTRICT JUDGE

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